

P21480.A18

Application No. 09/926,218

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Arne HOLMGREN et al.

Group Art Unit : 1621

Appl. No : 09/926,218  
(National Stage of PCT/JP00/02076)

Examiner : Kumar

I.A. Filed : March 31, 2000

For : SUBSTRATE FOR THIOREDOXIN REDUCTASE

**PAPER IN RESPONSE TO ADDITIONAL ISSUE RAISED IN DECISION ON APPEAL  
AND  
STATEMENT REGARDING TELEPHONE CONVERSATIONS WITH EXAMINER  
AND  
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir :

Further to the Decision on Appeal mailed July 29, 2005 and several telephone conversations with the Examiner, this is to provide a substance of the telephone conversations and to provide information in response to the Additional Issue noted in the Decision.

In particular, in the Decision, it is stated that:

It appears that from the record that ebselen has been known in the art for some time as an anti-oxidant, and may have been administered in vivo prior to the effective filing date of the present application. It is not clear from the record whether appellants and the examiner have determined whether or not this is the case, and if so, whether administration of ebselen in vivo inherently results in the activities.

Applicants have contacted the Examiner, including telephone calls on August 31, 2005 and September 11, 2005, indicating that Applicants have compiled a list of documents regarding administration of ebselen in vivo. The Examiner indicated that an Information Disclosure Statement can be filed submitting the documents and will be considered. Moreover, Applicants' representative indicated that U.S. Patent No. 4,418,069 and its family member Japanese Patent Publication (KOKOKU) No. (Hei)2-28591/1990 (cited on page 7, last paragraph of Applicants' specification) disclose that ebselen can be administered for treatment of rheumatic diseases.

Accordingly, further to the Information Disclosure Statements filed January 29, 2002 and September 10, 2003, Applicants hereby bring the following information to the attention of the Examiner.

1. JP 57-56427, and family member U.S. Patent No. 4,352,799;
2. JP 59-39894, and family member U.S. Patent No. 4,550,168;
3. JP 59-42373, and family member U.S. Patent No. 4,454,068;
4. JP 60-226868, and family member U.S. Patent No. 4,711,961;
5. JP 61-50963, accompanied by an English language abstract;
6. JP 61-137856, and family member U.S. Patent No. 4,730,053;
7. JP 61-254578, and family member U.S. Patent No. 4,774,252;
8. JP 61-275264, and family member U.S. Patent No. 4,873,350;
9. JP 62-294613, and family member US Patent No. 4,757,063;
10. JP 63-5022, and family member U.S. Patent No. 4,784,994;
- II. JP 63-79875, and family member U.S. Patent No. 4,910,313;
12. JP 63-183528, accompanied by an English language abstract;

13. JP 63-27431, accompanied by an English language abstract;
14. JP 64-56615, accompanied by an English language abstract;
15. JP 1-100125, and family member U.S. Patent No. 5,021,242;
16. JP 1-131113, accompanied by an English language abstract;
17. JP 1-131114, accompanied by an English language abstract;
18. JP 1-132522, accompanied by an English language abstract;
19. JP 1-135718, accompanied by an English language abstract;
20. JP 1-180825, accompanied by an English language abstract;
21. JP 1-294622, accompanied by an English language abstract;
22. JP 2-83321, accompanied by an English language abstract;
23. JP 2-250876, and family member EP0366990A2;
24. JP 5-310570, and family member U.S. Patent No. 6,335,036;
25. JP 5-255084, and family member U.S. Patent No. 5,480,888;
26. JP 9-263533, and family member AU 199721497 B2;
27. JP 2000-16935, and family member CA 2276984 A1;
28. JP 2000-86508, accompanied by an English language abstract;
29. JP 2000-256335, accompanied by an English language abstract;
30. JP 2000-344663, accompanied by an English language abstract;
31. JP 2001-261555, accompanied by an English language abstract;
32. W096/33712
33. WO 02/53154, and family member US 2004/0029934 A1; and
34. WO 02/55076, and family member US 2004/0053888 A1.

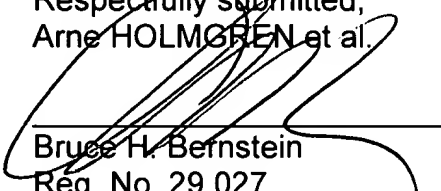
In accordance with the current rules, copies of the U.S. patents and U.S. published patent applications are not enclosed herewith. However, if any copies are needed, the Examiner is respectfully requested to contact the undersigned.

Copies of the above-noted documents, except for the U.S. patents and U.S. published patent applications, are enclosed together with a duly completed Form PTO-1449. The Examiner is accordingly requested to consider each of these documents, and to make them of record in this application by initialing in the appropriate spaces on the Form-1449. Applicants respectfully request that the Examiner include a copy of the initialed Form PTO-1449 with the next communication from the U.S. Patent and Trademark Office.

As noted above, the Examiner indicated that the information submitted herein will be considered. However, if any fee is needed for consideration of the this paper and the information cited therein, authorization is hereby provided to charge any required fee, including any fee under 37 C.F.R. 1.17(p), to Deposit Account No. 19-0089.

Any comments or questions concerning this application can be directed to the undersigned at the telephone number given below.

Respectfully submitted,  
Arne HOLMGREN et al.

  
Bruce H. Bernstein  
Reg. No. 29,027

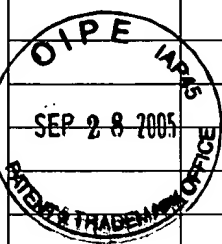
Arnold Turk  
Reg. No. 33,094

September 27, 2005  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

FORM PTO-1449

U.S. Department of Commerce  
Patent and Trademark OfficeAtty. Docket No.  
P21480Application No.  
09/926,218INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT  
(Use several sheets if necessary)Applicant  
Arne HOLMGREN et al.Filing Date  
March 31, 2000Group  
1621

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4 3 5 2 7 9 9	10/05/82	RENSON et al.			
		4 5 5 0 1 6 8	10/29/85	WELTER et al.			
		4 4 5 4 0 6 8	06/12/84	WELTER et al.			
		4 7 1 1 9 6 1	12/08/87	WELTER et al.			
		4 7 3 0 0 5 3	03/08/88	DEREU et al.			
		4 7 7 4 2 5 2	09/27/88	WELTER et al.			
		4 8 7 3 3 5 0	10/10/89	WELTER et al.			
		4 7 5 7 0 6 3	07/12/88	PARNHAM			
		4 7 8 4 9 9 4	11/15/88	ROMER et al.			
		4 9 1 0 3 1 3	03/20/90	WELTER et al.			
		5 0 2 1 2 4 2	06/04/91	ROMER et al.			
		6 3 3 5 0 3 6	01/01/02	NAKAGAMI et al.			
		5 4 8 0 8 8 8	01/02/96	KODAMA et al.			
	2004/	0 0 2 9 9 3 4	02/12/04	EBIHARA et al.			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
	57	- 5 6 4 2 7	04/05/82	JAPAN				
	59	- 3 9 8 9 4	03/05/84	JAPAN				
	59	- 4 2 3 7 3	03/08/84	JAPAN				
	60	- 2 2 6 8 6 8	11/12/85	JAPAN				
	61	- 5 0 9 6 3	03/13/86	JAPAN				
	61	- 1 3 7 8 5 6	06/25/86	JAPAN				
	61	- 2 5 4 5 7 8	11/12/86	JAPAN				
	61	- 2 7 5 2 6 4	12/05/86	JAPAN				
	62	- 2 9 4 6 1 3	12/22/87	JAPAN				
	63	- 5 0 2 2	01/11/88	JAPAN				
	63	- 7 9 8 7 5	04/09/88	JAPAN				
	63	- 1 8 3 5 2 8	07/28/88	JAPAN				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

1	English language Abstract of JP 61-50963, published March 18, 1986.
2	English language Abstract of JP 63-183528, published July 28, 1988.

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449

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Patent and Trademark OfficeAtty. Docket No.  
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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2004	0 0 5 3 8 8 8	03/18/04	SUZUKI et al.			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	63	- 2 7 4 3 1	02/05/88	JAPAN			
	64	- 5 6 6 1 5	03/03/89	JAPAN			
	1	- 1 0 0 1 2 5	04/18/89	JAPAN			
	1	- 1 3 1 1 1 3	05/24/89	JAPAN			
	1	- 1 3 1 1 1 4	05/24/89	JAPAN			
	1	- 1 3 2 5 2 2	05/25/89	JAPAN			
	1	- 1 3 5 7 1 8	05/29/89	JAPAN			
	1	- 1 8 0 8 2 5	07/18/89	JAPAN			
	1	- 2 9 4 6 2 2	11/28/89	JAPAN			
		2 - 8 3 3 2 1	03/23/90	JAPAN			
	2	- 2 5 0 8 7 6	10/08/90	JAPAN			
		0 3 6 6 9 9 0	05/09/90	E.P.O			
	5	- 3 1 0 5 7 0	11/22/93	JAPAN			
	5	- 2 5 5 0 8 4	10/05/93	JAPAN			
	9	- 2 6 3 5 3 3	10/07/97	JAPAN			
	2000	- 8 6 5 0 8	03/28/00	JAPAN			
	2000	- 2 5 6 3 3 5	09/19/00	JAPAN			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

3	English language Abstract of JP 63-27431, published May 2, 1988.
4	English language Abstract of JP 64-56615, published March 3, 1989.
5	English language Abstract of JP 1-131113, published May 24, 1989.
6	English language Abstract of JP 1-131114, published May 24, 1989.
7	English language Abstract of JP 1-132522, published May 25, 1981.
8	English language Abstract of JP 1-135718, published May 29, 1989.
9	English language Abstract of JP 1-180825, published July 18, 1989.
10	English language Abstract of JP 1-294622, published November 28, 1989.
11	English language Abstract of JP 2-83321, published March 23, 1990.
12	English language Abstract of JP 2000-86508, published March 28, 2000.
13	English language Abstract of JP 2000-256335, published September 19, 2000.

EXAMINER

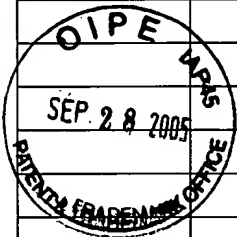
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FORM PTO-1449	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. P21480	Application No. 09/926,218
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use several sheets if necessary)		Applicant Arne HOLMGREN et al.	
		Filing Date March 31, 2000	Group 1621

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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	2000	- 3 4 4 6 6 3	12/12/00	JAPAN			
	2001	- 2 6 1 5 5 5	09/26/01	JAPAN			
	96	/ 3 3 7 1 2	10/31/96	W.I.P.O			
	02	/ 5 3 1 5 4	07/11/02	W.I.P.O			
	02	/ 5 5 0 7 6	07/18/02	W.I.P.O			
		2 2 7 6 9 8 4	01/01/00	CANADA			
	2000	- 1 6 9 3 5	01/18/00	JAPAN			
	19	9 7 2 1 4 9 7	08/20/97	AUSTRALIA			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

14	English language Abstract of JP 2000-344663, published December 12, 2000.
15	English language Abstract of JP 2001-261555, published September 26, 2001.

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